

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

**Hearing Date: October 24, 2019  
Hearing Time: 10:00 a.m.**

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In re : Chapter 11  
BOSTON GENERATING LLC, *et al.*, : Case No. 10-14419 (SCC)  
Debtors. : Jointly Administered  
:  
-----X  
MARK HOLLIDAY, the Liquidating Trustee of the :  
BosGen Liquidating Trust, :  
Plaintiff, :  
-versus- : Adversary Proceeding  
K ROAD POWER MANAGEMENT, LLC, *et al.*, : No. 12-01879 (MEW)  
Defendants. :  
:  
:  
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**NOTICE OF MOTION TO DISMISS THE THIRD AMENDED COMPLAINT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law dated July 18, 2019, and the Declaration of Philip D. Anker and the exhibits thereto, the undersigned Defendants, through their counsel, will move before the Honorable Michael E. Wiles, United States Bankruptcy Judge of the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York, on October 24, 2019 at 10:00 a.m., for an order dismissing the Third Amended Complaint with prejudice.

Dated: July 18, 2019

WILMER CUTLER PICKERING  
HALE AND DORR LLP

/s/ Philip D. Anker

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Respectfully submitted,

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Investment Master Fund, Ltd.)*

**CERTIFICATE OF SERVICE**

I, Philip D. Anker, hereby certify that on this 18th day of July 2019, a copy of the foregoing Notice of Motion was filed electronically with the Clerk of Court through the Court's CM/ECF system, thus serving all registered parties.

/s/ Philip D. Anker  
Philip D. Anker